

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR-S-05-0227 WBS

Plaintiff,

AND RELATED CASES

v.

CR-S-05-0095 MCE

CR-S-04-0389 MCE

CR-S-04-0388 MCE

CR-S-04-0387 MCE

BENITO TOPETE and

CR-S-04-0378 MCE

HECTOR MANRIQUEZ,

CR-S-04-0379 MCE

CR-S-04-0377 MCE

Defendants.

**ORDER OF RELATED CASE**

Examination of the above-entitled criminal actions reveals that these actions are related within the meaning of Local Rule 83-123(a) (E.D. Cal. 1997). The actions involve many of the same defendants and are based on the same or similar claims, the same property transaction or event, similar questions of fact and the same questions of law, and would therefore entail a substantial duplication of labor if heard by different judges. Accordingly, the assignment of the matters to the same judge is likely to effect a substantial savings of judicial effort and is also likely to be convenient for the parties.

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1 The parties should be aware that relating the cases under  
2 Local Rule 83-123 merely has the result that all actions are  
3 assigned to the same judge; no consolidation of the actions are  
4 effected. Under the regular practice of this court, related  
5 cases are generally assigned to the district judge to whom the  
6 first filed action was assigned.

7 IT IS THEREFORE ORDERED that the actions denominated:

8 CR-S-05-0227 WBS, USA v. Topete, et al.;  
9 CR-S-05-0095 MCE, USA v. Hernandez, et al.;  
10 CR-S-04-0389 MCE, USA v. Ayala, et al.;  
11 CR-S-04-0388 MCE, USA v. Ayala, et al.;  
12 CR-S-04-0387 MCE, USA v. Rodriguez;  
13 CR-S-04-0379 MCE, USA v. Mendez, et al.;  
14 CR-S-04-0378 MCE, USA v. Ramirez, et al.; and  
15 CR-S-04-0377 MCE, USA v. Solis, et al.

16 are reassigned to Judge Morrison C. England, Jr. for all further  
17 proceedings, and any dates currently set in these reassigned  
18 cases only are hereby VACATED. The parties are referred to the  
19 attached Order Requiring Joint Status Report. Henceforth, the  
20 caption on documents filed in the reassigned cases shall be shown  
21 as:

22 CR-S-05-0227 MCE, USA v. Topete, et al.;  
23 CR-S-05-0095 MCE, USA v. Hernandez, et al.;  
24 CR-S-04-0389 MCE, USA v. Ayala, et al.;  
25 CR-S-04-0388 MCE, USA v. Ayala, et al.;  
26 CR-S-04-0387 MCE, USA v. Rodriguez;  
27 CR-S-04-0379 MCE, USA v. Mendez, et al.;  
28 CR-S-04-0378 MCE, USA v. Ramirez, et al.; and  
CR-S-04-0377 MCE, USA v. Solis, et al.

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1 IT IS FURTHER ORDERED that the Clerk of the Court make  
2 appropriate adjustment in the assignment of criminal cases to  
3 compensate for this reassignment.

4 IT IS SO ORDERED.

5 DATED: June 17, 2005

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9 MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE